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10/677,751	10/03/2003	Ivan Laloux Sbida	60282.00103	4886

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EXAMINER	
DAVENPORT, MON CHERI S	

ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/677,751	SBIDA, IVAN LALOUX	
	Examiner	Art Unit	
	Mon Cheri S. Davenport	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 February 0208*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7,9,11,13-19,21,23,25-31,33,35 and 37-46* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) *1-7, 9, 11, 13-19, 21, 23, 25-31, 33, 35, and 37-46* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/22/2008 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-7, 9, 11, 13-19, 21, 23, 25-31, 33, 35, and 37-46** rejected under 35 U.S.C. 102(e) as being anticipated by Dunk (US Patent Application Publication 2004/0264465).

Regarding **Claim 1** Dunk discloses activating by using a packet data protocol (PDP) context, a communication connection ([0008], lines 8-10, each tunnel server is operable to establish and maintain tunnel connections (in GPRS, tunnel connections use the PDP for connection) with host computers, based on the communication protocol of the first type from the first node to a gateway general packet radio service support node(GGSN) of the communication network***(see paragraph [0073], lines 3-4, the wireless device operating with in and through IPv6 wireless network)([0008], lines 1-12, in the GPRS system the GGSN is the tunnel***

server)(see also [0005], lines 3-9, Dunk invention is designed for 3G wireless networks, including GPRS);

allocating, by the network support node(tunnel server) a first connection information part comprising an address related to the communication protocol of the first type to the communication connection of the first node***(see paragraph [0075], line 1-2, wireless device transmit request for temporary IPv6 address, through the IPv4 network)([0009], lines 5-8)*** ;

allocating, by the network support node, based on a transition mechanism***(see fig. 4, section 430, router, paragraph [0075], line 4-6, identifies or determines a temporary IPv6 address)*** used by the communication network, a second connection information part comprising an address related to the communication protocol of the second type to the communication connection of the first node ***(paragraph [0076], lines 1-4, the router identifies or determines temporary IPv6 address based on the temporary IPv4 address)([0009], lines 11-14);*** and

storing, by the network support node (tunnel server), the first connection information part and the second connection information part in a register, wherein the second connection information part is associated with the first connection information part in a common entry in the register ***(see paragraph [0048], lines 4-9, tunnel server updates its local routing table with the IP address of the tunnel server with association with a destination IP) ([0010], lines 4-11); and***

tunneling, with the network service node being a tunnel end-point, the data transmission based on the communication protocol of the first type (IPv4) between the first node and the second node using a connection based on the communication protocol of the second type (IPV6) ***(see [0011-0012], lines 1-6, an temporary IPv6 address is assigned and sent to home agent, so communication is done using the temporary IPv6)***; and

executing encapsulation/decapsulation for the data transmission based on the communication protocol of the second type by the network support node transparently for the first node ***(see [0034], lines 1-18, encapsulation of data packets during tunneling to communicate with the two network types, see also [0046-0047], figure 4, packets are encapsulated IPv6 packets and decapsulated into a IPv4 data packet by the tunnel server))***,

wherein the first node is connected to the communication network by the communication protocol of the first type ***(fig. 4, section 414, IPv6 wireless network, see also [0010], the IPv6 serving network facilities communicates between a host computer and an IPv6 wireless device)*** , and

wherein the communication network uses at least in part the communication protocol of the second type for forwarding the data transmission from the first node to the second node***(fig. 4, section 432, IPv4, wireless network, see [0010], lines 3-6, the IPv6 wireless device enters the IPv4 network and identifies a temporary IPv4 address)***.

Regarding **Claim 2, 14 and 26** Dunk discloses everything as applied above (see claim 1). In addition the method includes:

wherein, in the activating of the communication connection, an activation request is sent from the first node to the network support node***(see paragraph[0073], lines 3-4, 12-14, the wireless device begins in the IPv6 network, then enters the IPv4 network),*** the activation request comprising at least one of an indication for a dynamic addressing and an indication of an address type for the communication protocol of the first type***(see paragraph [0075], line 1-2, wireless device transmits a request for temporary IPv6 address)([0010], lines 4-9).***

Regarding **Claim 3, 15 and 27** Dunk discloses everything as applied above (see claim 1). In addition the method includes:

wherein, in the allocating of the first connection information part comprising an address related to the communication protocol of the first type**(IPv6)** to the communication connection of the first node, the address related to the communication protocol of the first type is allocated by the network support node***(see paragraph[0075], lines 5-9, the router determines a temporary IPv6 address to assign to a wireless device operating in the IPv6 network)([0010],lines 4-6).***

Regarding **Claim 4, 16, and 28** Dunk discloses everything as applied above (see claim 1). In addition the method includes:

wherein, in the allocating of the first connection information part comprising an address related to the communication protocol of the first type to the communication connection of the first node, the address related to the communication protocol of the first type is requested from an external address(email) allocation element contacted by the network support node ***(see paragraph 0080], communication device has email to send to wireless device address using its permanent Ipv6 address, then the packets are readdress with the temporary IPv6 address)([0011], lines 1-6)***.

Regarding **Claim 5, 17, and 29** Dunk discloses everything as applied above (see claim 1). In addition the method includes:

wherein, in the allocating of the second connection information part comprising an address related to the communication protocol of the second type to the communication connection of the first node, the address related to the communication protocol of the second type is allocated by the network support node from an internal pool of addresses ***(see paragraph***

[0077], lines 8-11, the suffix data field is for the IPv4, address, which is the temporary IPv4 address previously assigned to the wireless device through IPv4 wireless network, see paragraph [0074], lines 10-13, addresses are leased for limited periods of time , such that an IP address not in use is put back into an unallocated pool)([0010], lines 6-8).

Regarding **Claim 6, 18, and 30** Dunk discloses everything as applied above (see claim 1). In addition the method includes:

wherein, in the allocating of the second connection information part comprising an address related to the communication protocol of the second type to the communication connection of the first node, the address related to the communication protocol of the second type(IPv4) is requested from an external address(email) allocation element contacted by the network support node ***(see paragraph [0081], lines 9-11, the wireless device receives data packets addressed to its temporary IPv4 and process the information)([0012], lines 6-8).***

Regarding **Claim 7, 19 and 31** Dunk discloses everything as applied above (see claim 1). In addition the method includes:

wherein, in the storing , the network support node stores the first connection information part and the second connection information part associated with each other by an entry in a table portion related to the communication connection of first node, wherein the second connection information part is stored in a specific table field of the table portion***(see paragraph [0048], lines 4-9, tunnel server updates its local routing table with the IP address of the tunnel server with association with a destination IP).***

Regarding **Claim 9, 21, and 33** Dunk discloses everything as applied above (see claim 1). In addition the method includes:

wherein, in the activating the communication protocol of the first type, comprises one type of an Internet protocol, in particular an IPv6 based protocol ***(fig. 4, section 414, IPv6 wireless network, see paragraph [0073], lines 3-4)***, and the communication protocol of the second type comprises another type of an Internet protocol, in particular an IPv4 based protocol***(fig. 4, section 432, IPv4, wireless network see paragraph[0075], line 1-2)***.

Regarding **Claim 11, 23, and 35** Dunk discloses everything as applied above (see claim 1). In addition the method includes:

wherein, in the allocating, based on the transition mechanism step, the transition mechanism used by the communication network comprises an automatic tunneling mechanism which uses in particular the Intra-Site Automatic Tunnel Addressing Protocol ***(see paragraph[0070], line 1-3, router operates in accordance to Intra-site Automatic Tunnel addressing Protocol).***

Regarding **Claim 13 and 25** Dunk discloses a system configured to control a data transmission from a first node ***(see fig. 4, section 412, host access network, paragraph [0060], line 2)*** to a second node ***(see fig. 4, section 408, wireless communication device, see paragraph [0060], line 12)*** via a communication network wherein the first node is connected to the communication network using of a communication protocol of a first type ***(fig. 4, section 414, IPv6 wireless network),*** and the communication network uses at least in part a communication protocol of a second type ***(fig. 4, section 432, IPv4, wireless network)*** for forwarding the data transmission from the first node to the second node, the system comprising ***(see paragraph [0073], lines 3-4, the wireless device operating with in and through IPv6 wireless network)***:

An activation configured to activate, by using a packet based data context a communication connection based on the communication protocol of the first type between the first node and a network support node of the communication network ***(see fig. 4, section 430, router, see paragraph [0075], line 1-2, wireless device transmit request for temporary IPv6 address, through the IPv4 network in the GPRS system the GGSN is the tunnel server, in which PDP is inherent)(see also [0005], lines 3-9, Dunk invention is designed for 3G wireless networks, including GPRS);***

Allocate in the network support node (tunnel server) a first connection information part comprising an address related to the communication protocol of the first type to the communication connection of the first node***(see fig. 4, section 430, router, see paragraph [0075], line 1-2, wireless device transmit request for temporary IPv6 address, through the IPv4 network)***

Allocate in the network support node on the basis of a transition mechanism ***(see fig. 4, section 430, router, paragraph [0075], line 4-6, identifies or determines a temporary IPv6 address)*** used by the communication network, a second connection information part comprising an address related to the communication protocol of the second type to the communication connection of the first node***(see fig. 4, section 430, router, paragraph [0076], lines 1-4, the router identifies or determines temporary IPv6 address based on the temporary IPv4 address);*** and

Associate in the network support node the second connection information part with the first connection information part and for storing the associated first and second connection

information parts in a register*(see fig. 4, section 430, router, see paragraph [0048], lines 4-9, tunnel server updates its local routing table with the IP address of the tunnel server with association with a destination IP)*

A tunneling device (fig. 1, 116, tunnel server), with the network service node being a tunnel end-point, the data transmission based on the communication protocol of the first type (IPv4) between the first node and the second node using a connection based on the communication protocol of the second type (IPV6) *(see [0011-0012], lines 1-6, an temporary IPv6 address is assigned and sent to home agent, so communication is done using the temporary IPv6)*; and

executing device encapsulation/decapsulation for the data transmission based on the communication protocol of the second type by the network support node transparently for the first node *(see [0034], lines 1-18, encapsulation of data packets during tunneling to communicate with the two network types, see also [0046-0047], figure 4, packets are encapsulated IPv6 packets and decapsulated into a IPv4 data packet by the tunnel server)* ,

wherein the first node is connected to the communication network by the communication protocol of the first type *(fig. 4, section 414, IPv6 wireless network, see also [0010], the IPv6 serving network facilities communicates between a host computer and an IPv6 wireless device)* , and

wherein the communication network uses at least in part the communication protocol of the second type for forwarding the data transmission from the first node to the second node*(fig. 4, section 432, IPv4, wireless network, see [0010], lines 3-6, the IPv6 wireless device enters the IPv4 network and identifies a temporary IPv4 address)*.

Regarding **Claim 37-38 and 45** Dunk disclose activating means **(see fig. 4, section 408, wireless device)** for activating by using a PDP context, a communication connection based on the communication protocol of the first type between the first node and a GGSN (tunnel server) of the communication network ***(see paragraph [0075], line 1-2, wireless device transmit request for temporary IPv6 address, through the IPv4 network in the GPRS system the GGSN is the tunnel server, in which PDP is inherent)(see also [0005], lines 3-9, Dunk invention is designed for 3G wireless networks, including GPRS);***

a first allocation means ***(see fig. 4, section 412, host access network, paragraph [0060], line 2)*** for allocating a first connection information part comprising an address related to the communication protocol of the first type to the communication connection of the first node***(see fig. 4, section 430, router, see paragraph [0075], line 1-2, wireless device transmit request for temporary IPv6 address, through the IPv4 network)***;

a second allocation means***(see fig. 4, section 408, wireless communication device, see paragraph [0060], line 12)*** for allocating, on the basis of a transition mechanism ***(see fig. 4, section 430, router, paragraph [0075], line 4-6, identifies or determines a temporary IPv6 address)*** used by the communication network, a second connection information part comprising an address related to the communication protocol of the second type to the communication connection of the first node***(see fig. 4, section 430, router, paragraph [0076], lines 1-4, the router identifies or determines temporary IPv6 address based on the temporary IPv4 address); and***

association means ***(see fig. 4, section 430, router)*** for associating the second connection information part with the first connection information part and for storing the associated first and second connection information parts in a register ***(see fig. 4, section 430, router, see paragraph [0048], lines 4-9, tunnel server updates its local routing table with the IP address of the tunnel server with association with a destination IP)***

tunneling means (fig. 1, 116, tunnel server), with the network service node being a tunnel end-point, the data transmission based on the communication protocol of the first type (IPv4) between the first node and the second node using a connection based on the communication protocol of the second type (IPV6) ***(see [0011-0012], lines 1-6, an temporary IPv6 address is assigned and sent to home agent, so communication is done using the temporary IPv6)***; and

executing means encapsulation/decapsulation for the data transmission based on the communication protocol of the second type by the network support node transparently for the first node ***(see [0034], lines 1-18, encapsulation of data packets during tunneling to communicate with the two network types, see also [0046-0047], figure 4, packets are encapsulated IPv6 packets and decapsulated into a IPv4 data packet by the tunnel server)*** ,

wherein the first node is connected to the communication network by the communication protocol of the first type ***(fig. 4, section 414, IPv6 wireless network, see also [0010], the IPv6 serving network facilities communicates between a host computer and an IPv6 wireless device)*** , and

wherein the communication network uses at least in part the communication protocol of the second type for forwarding the data transmission from the first node to the second node***(fig.***

4, section 432, IPv4, wireless network, see [0010], lines 3-6, the IPv6 wireless device enters the IPv4 network and identifies a temporary IPv4 address).0

Regarding **Claim 39, 41, and 43** Dunk discloses everything as applied above (see claims 1, 13, and 25)

the packet based data transmission protocol context is a packet data protocol context***(see [0062],lines 6-9, the wireless network IPv6 is a GPRS network, packet switch network, which use packet data protocol context between the SSGN and the GGSN in a GPRS network, see figure 4, section 414, wireless network(GPRS)).***

Regarding **Claim 40, 42, and 44** Dunk discloses everything as applied above (see claims 1, 13, and 25)

the network support node is a gateway node of a communication network, in particular a gateway general packet radio service support node***(see [0062],lines 6-9, the wireless network IPv6 is a GPRS network, packet switch network, in which the GGSN is the gateway node, see figure 4, section 414, wireless network(GPRS)).***

Response to Arguments

4. Applicant's arguments filed February 8, 2008 have been fully considered but they are not persuasive.

In the remarks on pg. 32 of the amendment, the applicant contends that Dunk does not teach or suggest "activating, by using a packet data protocol context, first node GGSN"

Examiner respectfully disagrees Dunk teaches that the wireless network of the invention is a GPRS network in [0062], which uses a packet data protocol context between the GGSN and SSGN.

In the remarks on pg. 32 and 36 of the amendment, the applicant contends that Dunk does not teach or suggest "executing encapsulation/decapsulation for the data transmission based on the communication protocol of the second type by the network support node transparently for the first node"

Examiner respectfully disagrees Dunk teaches in [0046-0047] packets are encapsulated IPv6 packets and decapsulated into a IPv4 data packet by the tunnel server).

In the remarks on page 36 of the amendment, the applicant contends that Dunk does not teach or suggest "activates a communication connection by allocating a first connection information part which includes an address related to a communication protocol of a first type, and allocating a second connection part which includes an address related to a communication protocol of a second type"

Examiner respectfully disagrees Dunk teaches in figure 2 a connection is initiated through the tunnel server, then in [0046], when the tunnel connection is established of a first type(IPv4) , then encapsulate to IPv6 through the tunnel server for communication.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mon Cheri S. Davenport whose telephone number is 571-270-1803. The examiner can normally be reached on Monday - Friday 8:00 a.m. - 5:00 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MD/md
February 15, 2008

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